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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/682,829	10/23/2001	Radislav Alexandrovich Potyrailo	RD-28307	9182

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05/27/2003

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EXAMINER

JOLLEY, KIRSTEN

ART UNIT

PAPER NUMBER

1762

DATE MAILED: 05/27/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

**Advisory Action**

Application No.

09/682,829

Applicant(s)

POTYRAILO ET AL.

Examiner

Kirsten Crockford Jolley

Art Unit

1762

--Th MAILING DATE of this communication app ars on th cov r sheet with the correspondence address --

THE REPLY FILED 14 May 2003 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

**PERIOD FOR REPLY** [check either a) or b)]

- a) ☐ The period for reply expires \_\_\_\_\_ months from the mailing date of the final rejection.
- b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on \_\_\_\_\_. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☐ The proposed amendment(s) will not be entered because:
- (a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);
- (b) ☐ they raise the issue of new matter (see Note below);
- (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
- (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: \_\_\_\_\_

3. ☐ Applicant's reply has overcome the following rejection(s): \_\_\_\_\_.
4. ☐ Newly proposed or amended claim(s) \_\_\_\_\_ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☒ The a) ☐ affidavit, b) ☐ exhibit, or c) ☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: See attached action.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☒ For purposes of Appeal, the proposed amendment(s) a) ☐ will not be entered or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: \_\_\_\_\_

Claim(s) objected to: \_\_\_\_\_

Claim(s) rejected: 1-26,34, 36-42,44,46 and 48.Claim(s) withdrawn from consideration: 27-31,33,35,43,45,47 and 49-51.

8. ☐ The proposed drawing correction filed on \_\_\_\_\_ is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). \_\_\_\_\_.
10. ☐ Other: \_\_\_\_\_

### DETAILED ACTION

1. For purposes of Appeal, the proposed amendment will be entered.
2. Applicant's arguments filed May 14, 2003 have been considered however they do not place the application in condition for allowance.

Applicant argues that Schultz states in claim 1 "(e) reacting said components on said first single substrate under a *first set of reaction conditions* and said components on said second single substrate under a *second set of reaction conditions* to form at least two different arrays of at least two different materials," and therefore the reaction conditions are clearly different on each substrate (region) and hence are not duplicated. Applicant notes that instant claim 1 requires one (at a minimum) curing environment for each of the plurality (two or more) of regions.

The Examiner notes that the first and second sets of reaction conditions claimed in step (e) of claim 1 of Schultz are applied to *separate* substrates. Claim 1, steps (a) through (d) of Schultz set forth that coating materials are applied to two different regions on each of the two substrates. Then in step (e) of claim 1, first and second reaction conditions are applied to the first and second substrates respectively. However, a first reaction condition is applied to *both first and second regions* on the first substrate, and the second reaction condition is applied to *both first and second regions* on the second substrate. Therefore, Schultz meets Applicant's claim limitation of applying *one* curing environment for each of the *two* regions on a substrate simultaneously. Applicant appears to be defining each "substrate" of Schultz as separate claimed

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“regions”; it is the Examiner’s position that “substrate” in Schultz corresponds to the claimed term “substrate,” while “region” in Schultz corresponds to the claimed term “region.”

Applicant also notes that Schultz states in col. 26, lines 46-50, “Such techniques can be applied directly to a given predefined region on the substrate or, alternatively, to all of the predefined regions on the substrate in a simultaneous fashion (e.g., the substrate can be mechanically moved in a manner such that the components are effectively mixed).” Applicant argues that this phrase means that one or multiple techniques (i.e., mixing and moving) can simultaneously be applied to one or more regions, however it does not assure that any one technique will be applied to multiple regions, and it would be a major inductive leap of logic to conclude that Schultz is describing a curing system and method where a curing environment is simultaneously applied to each of a plurality of regions associated with the at least one coating.

The Examiner disagrees. The “techniques” referred to in col. 26 by the quoted sentence are inclusive of curing environments. Further, Schultz’s quoted phrase “to all of the predefined regions on the substrate in a simultaneous fashion” clearly sets forth that curing environments/techniques are applied simultaneously and to a plurality of regions on the same substrate.

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kirsten Crockford Jolley whose telephone number is 703-306-5461. The examiner can normally be reached on Monday to Thursday and every other Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner’s supervisor, Shrive Beck can be reached on 703-308-2333. The fax phone numbers for the

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organization where this application or proceeding is assigned are 703-872-9310 for regular communications and 703-872-9311 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1193.

kcj  
May 21, 2003

  
**SHRIVE P. BECK**  
**SUPERVISORY PATENT EXAMINER**  
**TECHNOLOGY CENTER 1700**